

**Title 19—DEPARTMENT OF
HEALTH AND SENIOR SERVICES
Division 20—Division of Community and Public Health
Chapter 28—Immunization**

PROPOSED AMENDMENT

19 CSR 20-28.040 Day Care Immunization Rule. The department is amending section (1), (2), (3) and deleting section (5) and the forms which follow the rule in the *Code of State Regulations*.

PURPOSE: This amendment clarifies requirements and incorporates by reference required forms and supporting documents.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) As mandated by section 210.003, RSMo, the administrator of each public, private, or parochial day care center, preschool, or nursery school caring for ten (10) or more children shall have a record prepared showing the immunization status of every child enrolled in or attending a facility under the administrator's jurisdiction. *[An annual summary report shall be made by January 15 of each year showing the immunization status of each child enrolled using forms provided for this purpose by the Department of Health and Senior Services. All facilities caring for or licensed for ten (10) or more children must submit a summary report. This report shall include immunization information by age up to kindergarten entry, by vaccine antigen, number of children enrolled, number of children fully immunized, number of children in progress, number of children with signed medical exemption, number of children with signed parental exemption, number of children in noncompliance, and number of children with proof of varicella disease.]* **Each administrator caring for or licensed for ten (10) or more children shall complete an annual summary report showing the immunization status of each child enrolled and submit to the Department of Health and Senior Services no later than January 15 of each year. The summary report shall be submitted electronically through the department's online system at <http://health.mo.gov/immunizations/daycarerequirements.php> or by completing and mailing the Imm.P-32 form to the Bureau of Immunization Assessment and Assurance, PO Box 570, Jefferson City, MO 65102-0570. The Imm.P-32 form is incorporated by reference in this rule as published October 2013 by the Department of Health and Senior Services and may be obtained by contacting the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. This rule does not incorporate any subsequent amendments or additions.**

(2) No child shall enroll in or attend a public, private, or parochial day care center, preschool, or

nursery school caring for ten (10) or more children unless the child has been adequately immunized according to this rule. Children attending elementary school who receive before or after school care, or both, shall meet the immunization requirements established in the School Immunization Rule, 19 CSR 20-28.010. Age-appropriate vaccine requirements will be according to the **Missouri Day Care Immunization Requirements Vaccines Received 0-18 Years of Age or the Center for Disease Control and Prevention's Catch-up Immunization Schedule for Persons Aged 4 Months- 18 Years Who Start Late or Who Are More Than 1 Month Behind**. These schedules are incorporated by reference in this rule as published February 2014 by the Department of Health and Senior Services and are available on the web at <http://health.mo.gov/immunizations/daycarerequirements.php> or by contacting the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. **This rule does not incorporate any subsequent amendments or additions** [*the attachments listed in section (5)*].

(3) Section 210.003, RSMo, provides that a child who has not completed all appropriate immunizations may enroll if—

(A) Satisfactory evidence is produced that the child has begun the process of immunization. The child may continue to attend as long as they have started an immunization series and provide satisfactory evidence indicating progress is being accomplished. The Department of Health and Senior Services' form Imm.P.14[, *included herein*,] shall be completed and placed on file with the child's immunization health record for each child with immunizations in progress. Failure to meet the next scheduled appointment constitutes noncompliance with the day care immunization law, and action shall be initiated immediately by the administrator to have the child excluded from the facility. **The Imm.P.14 form is incorporated by reference in this rule as published June 2012 and may be obtained by contacting a medical provider, local public health agency or the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. This rule does not incorporate any subsequent amendments or additions.**

(B) The parent or guardian has signed and placed on file with the day care administrator a statement of exemption which may be either of the following:

1. A medical exemption, by which a child shall be exempted from the requirements of this rule upon signed certification by a licensed doctor of medicine (MD), doctor of osteopathy (DO), or his or her designee indicating that either the immunization would seriously endanger the child's health or life, or the child has documentation of disease or laboratory evidence of immunity to the disease. The Department of Health and Senior Services' form Imm.P.12[, *included herein*,] shall be placed on file with the immunization record of each child with a medical exemption. **The Imm.P.12 form is incorporated by reference in this rule as published June 2012 by the Department of Health and Senior Services and may be obtained by contacting a medical provider, local public health agency or the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. This rule does not incorporate any subsequent amendments or additions.** The medical exemption need not be renewed annually; or

2. A parent or guardian exemption, by which a child shall be exempted from the requirements of this rule if one (1) parent or guardian files a written objection to immunization with the day care administrator. The Department of Health and Senior Services' form Imm.P.11[, *included herein*,] shall be signed by the parent or guardian and placed on file with

the immunization record of each child with a parental exemption. The parental exemption must be renewed annually. **The Imm.P.11 form is incorporated by reference in this rule as published July 2010 by the Department of Health and Senior Services and may be obtained by contacting a medical provider, local public health agency or the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. This rule does not incorporate any subsequent amendments or additions.**

[(5) Immunization requirements for children attending day care facilities shall be:

(A) Missouri Day Care Immunization Requirements Vaccines Received 0–6 Years of Age, included herein; and

(B) Catch-up Immunization Schedule for Persons Aged 4 Months–6 Years Who Start Late or Who Are More Than 1 Month Behind, included herein.]

AUTHORITY: sections 192.006 and 210.003, RSMo 2000. Emergency rule filed Aug. 1, 1995, effective Aug. 11, 1995, expired Dec. 8, 1995. Original rule filed April 17, 1995, effective Nov. 30, 1995. Emergency amendment filed June 14, 2000, effective June 24, 2000, expired Feb. 22, 2001. Amended: Filed June 14, 2000, effective Nov. 30, 2000. Amended: Filed Jan. 3, 2001, effective July 30, 2001. Amended: Filed Oct. 1, 2008, effective March 30, 2009. Amended: Filed Nov. 30, 2011, effective June 30, 2012. Amended Filed*

**Original authority: 192.006, RSMo 1993, amended 1995; 210.003, RSMo 1988.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support or in opposition to this proposed amendment with the Missouri Department of Health and Senior Services, Division of Community and Public Health, Harold Kirbey, Division Director, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*